

McKinney	Quinn	Souder
McNulty	Radanovich	Spratt
Meehan	Rahall	Stearns
Meek (FL)	Ramstad	Stenholm
Meeks (NY)	Rangel	Strickland
Menendez	Regula	Stump
Mica	Rehberg	Stupak
Millender-	Reyes	Sununu
McDonald	Reynolds	Sweeney
Miller (FL)	Riley	Tancredo
Miller, Gary	Rivers	Tanner
Miller, George	Rodriguez	Tauscher
Mink	Roemer	Tauzin
Mollohan	Rogers (KY)	Taylor (MS)
Moore	Rogers (MI)	Taylor (NC)
Moran (KS)	Rohrabacher	Terry
Moran (VA)	Ros-Lehtinen	Thomas
Morella	Ross	Thompson (CA)
Murtha	Rothman	Thompson (MS)
Myrick	Roukema	Thornberry
Nadler	Roybal-Allard	Thune
Napolitano	Royce	Thurman
Neal	Rush	Tiahrt
Nethercutt	Ryan (WI)	Tiberi
Ney	Ryun (KS)	Tierney
Northup	Sabo	Toomey
Norwood	Sanchez	Towns
Nussle	Sanders	Trafigant
Oberstar	Sandlin	Turner
Obey	Sawyer	Udall (NM)
Olver	Saxton	Upton
Ortiz	Scarborough	Velázquez
Osborne	Schakowsky	Visclosky
Ose	Schiff	Vitter
Otter	Schrock	Walden
Owens	Scott	Walsh
Oxley	Sensenbrenner	Wamp
Pallone	Serrano	Waters
Pascarell	Sessions	Watkins (OK)
Pastor	Shadegg	Watson (CA)
Paul	Shaw	Watt (NC)
Payne	Shays	Watts (OK)
Pelosi	Sherman	Waxman
Pence	Sherwood	Weiner
Peterson (MN)	Shimkus	Weldon (FL)
Peterson (PA)	Shows	Weldon (PA)
Petri	Shuster	Weller
Phelps	Simmons	Wexler
Pickering	Simpson	Whitfield
Pitts	Skeen	Wicker
Platts	Skelton	Wilson
Pombo	Slaughter	Wolf
Pomeroy	Smith (MI)	Woolsey
Portman	Smith (NJ)	Wu
Price (NC)	Smith (TX)	Wynn
Pryce (OH)	Smith (WA)	Young (AK)
Putnam	Solis	Young (FL)

NOT VOTING—15

Baca	Goode	Schaffer
Berkley	Hansen	Snyder
Cox	Hefley	Spence
DeGette	Jefferson	Stark
Fattah	Lipinski	Udall (CO)

□ 1844

So, (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced a above recorded.

A motion to reconsider was laid on the table.

□ 1845

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2647, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107-171) on the resolution (H. Res. 213) providing for consideration of the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other pur-

poses, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2505, HUMAN CLONING PROHIBITION ACT OF 2001

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107-172) on the resolution (H. Res. 214) providing for consideration of the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning, which was referred to the House Calendar and ordered to be printed.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mr. OSE). Pursuant to House Resolution 210 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2620.

□ 1846

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations and offices for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SHIMKUS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Friday, July 27, 2001, amendment No. 46 offered by the gentleman from New Jersey (Mr. MENENDEZ) had been disposed of and the bill was open for amendment from page 33 line 5 through page 37 line 9.

Are there any amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, \$1,027,745,000, to remain available until September 30, 2003: *Provided*, That not less than

35 percent of these funds shall be used for permanent housing, and all funding for services must be matched by 25 percent in funding by each grantee: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That no less than \$14,200,000 of the funds appropriated under this heading is transferred to the Working Capital Fund to be used for technical assistance for management information systems and to develop an automated, client-level Annual Performance Report System: *Provided further*, That \$500,000 shall be made available to the Interagency Council on the Homeless for administrative needs.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

(INCLUDING TRANSFER OF FUNDS)

For assistance for the purchase, construction, acquisition, or development of additional public and subsidized housing units for low income families not otherwise provided for, \$1,024,151,000, to remain available until September 30, 2003: *Provided*, That \$783,286,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under such section 202(c)(2), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a one-year term, and for supportive services associated with the housing, of which amount \$49,890,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount \$49,890,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use: *Provided further*, That of the amount under this heading, \$240,865,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under such section 811(d)(2), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a one-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811 of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act: *Provided further*, That no less than \$1,000,000, to be divided evenly between the appropriations for the section 202 and section 811 programs, shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That, in addition to amounts made available for renewal of tenant-based rental assistance contracts pursuant to the second proviso of this paragraph, the Secretary may designate up to 25 percent of the amounts earmarked

under this paragraph for section 811 of such Act for tenant-based assistance, as authorized under that section, including such authority as may be waived under the next proviso, which assistance is five years in duration: *Provided further*, That the Secretary may waive any provision of such section 202 and such section 811 (including the provisions governing the terms and conditions of project rental assistance and tenant-based assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate, or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

FLEXIBLE SUBSIDY FUND
(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2001, and any collections made during fiscal year 2002, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), \$13,566,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the general fund estimated at not more than \$0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2002 appropriation.

FEDERAL HOUSING ADMINISTRATION
MUTUAL MORTGAGE INSURANCE PROGRAM
ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2002, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$160,000,000,000.

During fiscal year 2002, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$250,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$330,888,000, of which not to exceed \$326,866,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed \$4,022,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, \$145,000,000, of which not less than \$96,500,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, \$15,000,000, to remain available until expended: *Provided*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to \$21,000,000,000: *Provided further*, That any amounts made available in any prior appropriations Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$50,000,000, of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$211,455,000, of which \$193,134,000, shall be transferred to the appropriation for "Salaries and expenses"; and of which \$18,321,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$139,000,000, of which no less than \$33,500,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems.

GOVERNMENT NATIONAL MORTGAGE
ASSOCIATION (GNMA)
GUARANTEES OF MORTGAGE-BACKED SECURITIES
LOAN GUARANTEE PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$200,000,000,000, to remain available until September 30, 2003.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$9,383,000 to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$9,383,000 shall be transferred to the appropriation for "Salaries and expenses".

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of

the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$46,900,000, to remain available until September 30, 2003: *Provided*, That \$1,500,000 shall be for necessary expenses of the Millennial Housing Commission, as authorized by section 206 of Public Law 106-74: *Provided further*, That of the total amount provided under this heading, \$7,500,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$45,899,000, to remain available until September 30, 2003, of which \$19,449,000 shall be to carry out activities pursuant to such section 561: *Provided*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL
LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992, \$109,758,000 to remain available until September 30, 2003, of which \$10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related environmental childhood diseases and hazards.

MANAGEMENT AND ADMINISTRATION
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed \$7,000 for official reception and representation expenses, \$1,086,800,000, of which \$520,000,000 shall be provided from the various funds of the Federal Housing Administration, \$9,383,000 shall be provided from funds of the Government National Mortgage Association, \$1,000,000 shall be provided from the "Community development fund" account, \$150,000 shall be provided by transfer from the "Title VI Indian federal guarantees program" account, and \$200,000 shall be provided by transfer from the "Indian housing loan guarantee fund program" account: *Provided*, That no less than \$85,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of Information Technology Systems: *Provided further*, That the Secretary shall fill 7 out of 10 vacancies at the GS-14 and GS-15 levels until the total number of GS-14 and GS-15 positions in the Department has been reduced from the number of GS-14 and GS-15 positions on the date of enactment of Public Law 106-377 by two and one-half percent: *Provided further*, That the Secretary shall submit a staffing plan for the Department by November 1, 2001.

AMENDMENT NO. 42 OFFERED BY MR. WELDON OF
PENNSYLVANIA

Mr. WELDON of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 42 offered by Mr. WELDON of Pennsylvania:

Page 47, line 10, after the first dollar amount insert the following: “(reduced by \$50,000,000)”.

Page 72, line 5, after the dollar amount insert the following: “(increased by \$50,000,000)”.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. WELDON) is recognized for 10 minutes in support of his amendment.

Does the gentleman from Maryland (Mr. HOYER) claim the time in opposition?

Mr. HOYER. Mr. Chairman, I am not in opposition. I do not know that there is going to be opposition to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. WELDON), and then the gentleman from Maryland will have the right to claim the time.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I offer this amendment on behalf of myself, the gentleman from Maryland (Mr. HOYER), the gentleman from Indiana (Mr. BURTON), the gentleman from New Jersey (Mr. ANDREWS), the gentleman from New Jersey (Mr. PASCRELL), and the gentleman from New York (Mr. GILMAN). I offer this amendment in full support and adulation for the chairman and ranking members of the subcommittee, recognizing their ongoing cooperation in this effort. And I offer this in complete support of the full committee chairman, the gentleman from Florida (Mr. YOUNG), without whose efforts last year would not allow us to be here today.

Mr. Chairman, the number is 102, and the number in 1999 was 112. That was the number of U.S. citizens, most of them volunteers, who were killed in the line of duty in protecting our towns. If we lost that many soldiers, it would be a national scandal. If we lost that many teachers, it would be a national disgrace. Yet every year, on average, America loses over 100 men and women who are simply protecting their towns.

Last year, for the first time, with the leadership of the good chairman of the committee, the gentleman from Florida (Mr. YOUNG), we appropriated \$100 million on the competitive grant program to help our Nation's 32,000 fire and EMS departments leverage their money to help them better train and better equip themselves.

The response was overwhelming. Thirty thousand applications came in within 1 month. Twenty thousand individual fire and EMS departments in every district in America applied. And now it is time for us to increase that funding.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. YOUNG), chairman of the House Committee on Appropriations, without whose efforts this would not have happened.

Mr. YOUNG of Florida. Mr. Chairman, I rise to thank the gentleman from Pennsylvania (Mr. WELDON) for his determined dedication to this issue of providing support for those men and women who serve on the front line in guaranteeing the safety and security of our communities, along with police officers. Without our firefighters, I am not sure where we would be going as a Nation or as a community.

I would say the gentleman was very kind in his remarks directed to this chairman, but I must tell my colleagues that he, in fact, is the most dedicated, most persistent, most determined Member of this House to see that this type of assistance is made available for those brave men and women who do support the security of our Nation in fighting the fires, protecting our properties, and protecting our lives.

Again, I would say thanks to him for the determination and the strong effort that he has made in this respect.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia (Mr. MOLLOHAN) is recognized for 10 minutes.

Mr. MOLLOHAN. Mr. Chairman, I am in no way in opposition to this account being funded at the amount designated in the amendment, \$150 million, however, there is a better place to do that; and we will certainly, at that time, look as favorably as we can upon the request.

Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER).

The CHAIRMAN. Without objection, the gentleman from Maryland (Mr. HOYER) will control the balance of the time.

There was no objection.

Mr. HOYER. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of the Weldon amendment.

The Weldon amendment is carrying out what I think is a very worthwhile and important objective. It would increase the \$100 million provided in the bill for the fire grant program by \$50 million.

Before I speak on the substance, I want to thank the chairman and ranking members of the subcommittee, the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN). As the ranking member of the Subcommittee on Treasury, Postal Service and General Government of the Committee on Appropriations, I understand the constraints they are under. I also understand their support of this program.

I want to thank the gentleman from New Jersey (Mr. PASCRELL), the gen-

tleman from Pennsylvania (Mr. WELDON), the gentleman from New Jersey (Mr. ANDREWS), the gentlewoman from Missouri (Mrs. EMERSON), and the gentleman from Michigan (Mr. SMITH), as well as so many others who have been supportive, and I want to thank the chairman of the full committee, the gentleman from Florida (Mr. YOUNG), for rising to speak on behalf of this amendment. All of them have been tireless in their support of this program.

The response, Mr. Chairman, from the fire services to the Fire Act, which authorized \$300 million and to which we appropriated \$100 million last year, has been nothing short of astonishing and has exceeded everyone's expectations. In this first year of the program, the U.S. fire administration received over 30,000 requests from local departments, totaling more than \$3 billion.

To put this in perspective, there are 32,000 departments in this country. Our first responders respond to fire, flood, hurricane, and other crises. In the first year, the departments were limited to applying for only 6 of the authorized 14 categories. That gives us, I think, Mr. Chairman, a sense of the need that is out there that fire departments throughout this country have.

The \$100 million in this bill is insufficient. The chairman and the ranking member know that. Hopefully, in conference, we will be able to get that figure up to the figure that the gentleman from Pennsylvania seeks and, indeed, if there are additional funds, they would be warranted as well.

Mr. Chairman, I reserve the balance of my time.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. GILMAN), a cosponsor of this amendment and one who has been a real leader in this effort.

Mr. GILMAN. Mr. Chairman, I am pleased to rise in support of the amendment offered by the gentleman from Pennsylvania (Mr. WELDON), which I was pleased to cosponsor. I also thank the chairman of the full committee, the gentleman from Florida (Mr. YOUNG); the gentleman from Maryland (Mr. HOYER); the gentleman from Indiana (Mr. BURTON); the gentleman from New Jersey (Mr. ANDREWS) and the gentleman from New Jersey (Mr. PASCRELL) for their support.

The Weldon amendment allocates an additional \$50 million in funding for the Firefighters Assistance Grant Program, which is one of our Nation's most vitally important programs. In fiscal year 2001, approximately two out of three fire departments in our Nation applied for funds, totaling nearly \$3 billion in requests. Regrettably, the majority of those requests could not be granted because funding for the program was not sufficient to meet the overwhelming demands of our Nation's fire departments.

As the popularity of this program increases, it falls upon all of us in the Congress to meet the demand with adequate funding. We must make sure our Nation's firefighters have the resources to perform their dedicated work in our communities, saving lives and property.

Accordingly, I urge our colleagues to show their support for our Nation's firefighters by voting in support of the Weldon firefighter amendment.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), who has been such a hard fighter on behalf of this program for the firefighters and first responders of our Nation.

Mr. PASCRELL. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of the Weldon amendment to increase funding for the Firefighters Assistance Grant Program.

There are a million firefighters in America, one million, and 32,000 fire departments. The number of applications for the first year is just overwhelming. This is a replica of the COPS program, which proved to be so successful. And I want to congratulate folks from both sides of the aisle. The amount of applications is an indication, Mr. Chairman, of how serious the need is in our Nation's fire departments.

I totally support this amendment. We are all going to be hearing from the fire departments in our own districts, because there is only so much money to go around for so many applications.

□ 1900

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. SMITH), who is a senior member of the Committee on Science and who has been an advocate for the fire service.

Mr. SMITH of Michigan. Mr. Chairman, as chairman of the committee that oversees the Federal Fire Administration, I would like to suggest that it is about time we really started helping communities across America by helping firemen.

Today in the United States there are over 1 million fire fighters and 77 percent are volunteers. If we had to pay all of these volunteers, we would be spending billions of dollars more in property tax coming out of taxpayers' pockets.

Last year I worked with the gentleman from Pennsylvania (Mr. WELDON) and others to get \$100 million into this program. This amendment is going to increase that by \$50 million to \$150 million.

I think it is important to mention that in 1999 there were 45,000 fire fighters injured and 112 fire fighters killed in duty-related incidents. These men and women are American heroes. They are truly our first responders. They are the ones that are at the scene when

there is natural disasters. They are the ones at the scene when there is shootings in school, chemical spills, terrorism, looking for lost kids, or getting the kitten out of a tree.

We give billions of dollars to law enforcement in this country. It is time we gave a few dollars to help local communities and help the first responders of this Nation.

This amendment would increase the funding allocation to help local fire departments hire new firefighters, purchase new safety equipment, and provide improved training.

These men and women are American heroes. They are truly first responders. They are part of national security.

Mr. Chairman, this seems to me to be an easy choice to make. Either we fund more bureaucracy or fund more help for firefighters. The increased funding for the fire grants program could be used for new equipment to fight fires, new training so that our firefighters are brought up to speed on the latest firefighting techniques, advanced safety equipment that can help prevent firefighter injury or death. This type of support is especially critical for volunteer fire departments that often must supplement their sources of funding with bake sales and the like.

Despite the risks, the million men and women of the fire services continue to guard against fires, accidents, disasters, and terrorism. We in this body must continue to get them the support they need.

It may come as a surprise to many of the people viewing tonight, but the United States has one of the highest fire death rates in the industrialized world at 13.1 deaths per million population. In 1999, 3,570 Americans lost their lives and another 21,875 were injured as the result of fire—more Americans than were killed in all natural disasters combined. The National Safety Council ranks fires as the fifth leading cause of accidental deaths, behind only vehicle accidents, falls, poisonings, and drownings.

The total cost of fire to society is staggering—estimated over \$100 billion per year. This includes the cost of adding fire protection to buildings, the cost of paid fire departments, the equivalent cost of volunteer fire departments (\$20 billion annually), the cost of insurance overhead, the direct cost of fire-related losses, the medical cost of fire injuries, and other direct and indirect costs. Direct property losses due to fire was estimated at \$10 billion in 1999.

The top three causes of fires in the U.S. are smoking (22 percent), incendiary and suspicious (or arson) (21 percent), and heating (11 percent). The leading cause of injuries is cooking (22 percent), followed by arson (13 percent), and children playing (11 percent).

On the front lines, protecting the public from fire, are the Nation's over one million firefighters, three-quarters of whom serve as volunteers. Every day, these men and women place their lives on the line to protect their neighbors. Every 17.3 seconds, a firefighter in this country responds to a fire.

In my State of Michigan volunteer firefighters are very important. Between 1995–2000, eleven Michigan firefighters—both volunteer and professional—lost their lives fighting fires.

Last year alone, four Michigan firefighters lost their lives—Ronald Haner of Portage, David Maisano of Mio, David Sutton of Fraser, and Gail VanAuken of Holland. Firefighter Sutton was killed by an arsonist who ignited combustibles on the first and second floors of a Fraser apartment building. Mr. Sutton had sought to save a resident of that apartment building, who was trapped on the second floor, and was also killed by that fire. This fire was one of six arson fires that occurred in the same general area over a two day period of last year.

For their bravery and sacrifice, we owe first responders and their families a debt of gratitude. Our Nation's founders were deeply committed to the idea that the individual had an obligation to serve the community and the country. Those who serve as first responders exemplify these ideals every day.

It is unfortunate that today many now consider duty and honor relics of a bygone age. While our society lavishes praise on athletes and rock stars, we tend to forget about those who stand ready at a moment's notice to risk their lives to keep our communities safe. It is only after disaster strikes that we appreciate fully the contributions they make.

They have kept faith with us, and we in this body must continue to keep faith with them by getting them the support they need. As chairman of the Subcommittee on Research, which has jurisdiction over the U.S. Fire Administration, I am pleased that last year we were able to pass legislation reauthorizing USFA. This legislation is helping get USFA back on the right track so that it can provide the training and research our firefighters need.

In addition, last year, many of us worked to get more help to firefighters. These efforts led to the passage of unprecedented legislation to benefit America's fire service, much of which was reflected in my Help Emergency Responders Operate—HERO—Act.

This type of support is particularly important to volunteer fire departments that often do not have adequate funding. Many volunteer departments have to supplement their local funding with bake sales and other activities just to keep themselves afloat.

The VA/HUD appropriations bill for fiscal year 2002 provides another \$100 million for this purpose. Like the gentleman from Pennsylvania, I was hoping that we can increase that amount to \$150 million, and I am still hopeful that we can get some more funding as the bill moves through conference. Remember that each year fire results in \$10 billion in property loss and more than 3,500 deaths in the U.S. I have also cosponsored legislation offered by the gentleman from Connecticut, Mr. LARSON, that would set up special tax-free retirement accounts, similar to IRA's, for volunteer firefighters.

Increasingly, we are asking firefighters to take on expanded responsibilities—to respond to terrorist attacks or to help stem environmental disasters, for example. It is important that as we ask them to take on more, we stay committed to insuring we support them as best we can.

I thank the gentleman for his efforts on behalf of firefighters and thank him for bringing this issue before the House tonight. I urge my colleagues to support this amendemnt.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend and colleague, the distinguished gentleman from Maryland (Mr. HOYER), and thank him for all he has done for the fire fighters of the State of Maryland and of the District of Columbia. I have witnessed firsthand what he has done to beef up the capability of fire stations, not just within these two jurisdictions, but across the country. I thank the gentleman from Pennsylvania (Mr. WELDON), the head of the Fire Caucus.

The fact is that fire fighters today do so much more than fight fires. They respond to medical emergencies, crises, catastrophes. They are the first line of defense when we have emergencies that occur across the country. So I support the intent of this amendment very strongly.

I do have some reticence about the fact that it would be taken from salaries and expenses in HUD, as I know the gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. WELDON) do. But I suspect that when we sit down with the Senate, that the fire fighters will be recipients of the kind of financial support and political support that they need and deserve.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. GRUCCI), one of our freshmen Members who was a leader of the fire service in Brookhaven in Long Island.

Mr. GRUCCI. Mr. Chairman, I rise today in support of the Weldon amendment, which would increase the Fire Assistance Grant Program by \$50 million.

Last Monday it was my honor to announce the awarding of a Federal grant to the Davis Park Fire Department in my district. This grant was one of only 108 that were awarded to the fire departments across this country under FEMA's Fire Assistance Grant Program.

The Davis Park Fire Department along with nearly 20,000 other fire companies applied for grants. That is almost two-thirds of all fire companies in America. In the coming months, more than \$100 million in grants will be rewarded to fire companies for vehicles, fire prevention programs, equipment and training.

The Davis Park Fire Department will use its \$30,000 in funds to train its fire fighters in the most recent fire fighting and rescue techniques. When I spoke with the department's chief, he expressed his excitement over how the grant would help to strengthen the safety of not just the citizens of Davis Park, but also the brave men and women who serve them.

By supporting the Weldon amendment we can guarantee that fire de-

partments, like Davis Park, will be able to benefit from this vital program next year.

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By supporting the Weldon amendment we can guarantee that Fire Departments like the Davis Park will be able to benefit from this vital program next year. In doing so we can increase the safety of countless communities throughout our nation.

I call upon all of my colleagues to join me in providing our nations local fire departments with the opportunity to improve the quality of both services they offer and safety standards under which they serve.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS), one of the co-chairs of the Fire Service Caucus who does an outstanding job on behalf of the fire fighters of America.

Mr. ANDREWS. Mr. Chairman, I rise in strong support of the amendment.

In the new century the front line of America's defense is not the battlefields of Europe or the high seas around the globe or even the skies above us. The front line is the domestic battle against terrorism.

The first line of defense in that battle is the fire fighters, EMS, and public safety personnel of our country. They certainly deserve the amount that is suggested by this amendment.

Mr. Chairman, I would like to thank the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) for making sure that \$100 million is already in this bill.

I know we can all work together in the conference with the other body to try to increase that amount to \$150 million by trying to find the appropriate place in the bill from which the money may be taken.

We are going to spend \$300 billion on defending this country by the Armed Services this year. I support that. This is a small fraction and an important element of our fight or national defense. I enthusiastically support this amendment. I thank its authors.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. MURTHA), one of the champions of our national security and one of the champions of the fire service in America, who along with the gentleman from Florida (Mr. YOUNG) and the gentleman from New York (Mr. WALSH) has been there, along with the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MURTHA. Mr. Chairman, this is the first time I have ever spoken on an amendment which I am not sure is going any place, but I will say this: I can remember when it was first introduced they were talking about \$1 billion. Most people thought there would not be that kind of a need or application. But in my district this has been one of the most popular things we have done in this Congress.

We are having trouble getting volunteers. They are having trouble getting equipment. So this is the type of thing we will have to get involved in. I predict that in the end there will be a lot more money in this program. It is going to be just like defense. It is going to increase more and more. So I support the program and enthusiastically endorse what the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from New Jersey (Mr. PASCRELL) are trying to do.

Mr. HOYER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 4½ minutes remaining. The gentleman from Pennsylvania (Mr. WELDON) has 4 minutes remaining.

Mr. HOYER. Mr. Chairman, I reserve the balance of my time.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the group of people we are talking about are our domestic defenders. People ask why we should fund the fire service, are we trying to federalize the Nation's fire service? The answer is absolutely no. But in today's climate we are asking these domestic defenders to deal more with weapons of mass destruction and terrorist incidents.

In fact, for every major disaster in America, floods, tornadoes, earthquakes, they are the first responder. It is not the FEMA bureaucrat, it is not the National Guard, it is not the Marine Corps CBIRF teams, it is the men and women of the American Fire Service.

We have responsibility to help them. We spend over \$300 billion on our international defenders, and I support that and more. We spend \$4 billion a year on our police officers, and I support that. Imagine asking our police officers to go out and have a chicken dinner or tag day to raise the funds to buy their police car or their crime incident vehicle.

Every day across this country our paid and volunteer fire EMS people are

asked to do more with less. This is a small effort for us to assist them, to give them seed money, to help them use their very limited dollars to help leverage that money to buy the equipment they need.

Is this program a success? The first round of grants are now going out. Let me read just one. The smallest grant award to date was \$757 to buy a smoke machine for training fire fighters in the Paisley Volunteer Fire Department in southeastern Oregon. That may save one life, and if we save one life out of those hundreds that are killed each year, it is well worth the funding.

Mr. Chairman, I want to thank my colleagues for working together on this effort. It would not have happened without the bipartisan support of the gentleman from Maryland (Mr. HOYER), the gentleman from New Jersey (Mr. PASCRELL), the gentleman from New Jersey (Mr. ANDREWS), the gentleman from Pennsylvania (Mr. MURTHA), along with the gentleman from Florida (Mr. YOUNG), the gentleman from New York (Mr. WALSH), and all of the others who have spoken, are the reason we are here today.

Mr. Chairman, to our fire and EMS leaders, we are only just beginning. I thank my colleagues and ask them to support this amendment.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this amendment is going to take a short time, and this amendment is going to be I think withdrawn. It is going to be withdrawn because we understand that we ought not to take \$50 million out of the salary and expense money of HUD. HUD needs that money.

Mr. Chairman, I rise really to say that this committee's 302(b) allocation is insufficient to meet the unbelievable demands that it confronts. I think the chairman and ranking member are going to say that in just a minute. But I empathize with that because this is a critical need. We have talked about the need being manifested in the grant applications that have been submitted: Over \$3 billion with \$100 million available. Those grant applications are not for some objective which somebody would make fun of.

We talk about fires, and that is what we think about our fire service and emergency response teams as doing; but we have also talked about natural disasters. There are also unnatural disasters; for instance, automobile accidents. The first people usually on the scene are the fire service and/or the EMS, emergency medical service. They are there. They need equipment and training. That means more lives saved.

Just as it has been said that we spend a lot of money on people that we send overseas to defend our security, that is why the gentleman from Pennsylvania (Mr. WELDON) and I and others on this floor refer to our fire service and EMS

personnel as our domestic defenders; because, indeed, they are the persons, along with our police department, that we ask to defend us here at home to make sure that we not only have law and order, but that we have security at time of crisis, whether it is natural disaster or fire or accident or some other calamity.

Mr. Chairman, the fire service was one of the first on the scene when Timothy McVeigh set that awful explosion that killed 168 people. They were there in that building climbing those stairs bringing children out, bringing women and visitors from that building.

They take risks every day, and we lose on an average one every 3 days in America. It is important, and I think America believes it to be a priority, that we give to them the training, the equipment, so that they cannot only respond effectively to save our lives, but they can do so in the safest possible manner that we can give to them.

In conclusion, let me thank the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN). I know that they care deeply about this program and I know the constraints on them. The good news is when we go to conference I hope we can get to this number.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself 2 minutes to enter into a colloquy with the gentleman from New York (Mr. WALSH) and with the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. Chairman, first of all, I thank the gentleman from New York for his leadership last year, and ask the gentleman if he can work with us in conference to help move toward this goal?

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, this is as good an idea that has come along in a long time. It has broad support. Mr. Chairman, the gentleman from Pennsylvania is as consistent as Old Faithful regarding fire fighters. The gentleman is their hero; and there are many others in this room who have made this happen.

The gentleman from West Virginia (Mr. MOLLOHAN) and I have an allocation that would force us to go into HUD that would cut salaries and expenses. Nobody wants to do that. Give us a chance to work with the gentleman as we move towards conference, and I think we probably will have a positive result.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I thank the gentleman from Pennsyl-

vania (Mr. WELDON) and the gentleman from Maryland (Mr. HOYER) for their leadership on this issue.

This amendment is less about a desire in this body of getting resources to fire fighters than it is about the scarcity about the resources that we have to appropriate here.

As the chairman indicated, we need a larger allocation to do justice to this amendment. We need more money to do justice to this amendment. We hope as this process moves forward, it will be available. It will be very difficult in the context of the tax cut we had earlier in the year. We are going to work hard to honor both gentlemen's request here as it moves forward. I will support the chairman in that process.

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Mr. WELDON of Pennsylvania. Mr. Chairman, I want to thank our colleagues for their comments. The gentleman from Maryland has an additional comment to make, and then I will make my unanimous-consent request.

Mr. HOYER. Mr. Chairman, in conclusion, I think everybody here that has spoken says this is something we ought to do. Hopefully between now and when we adjourn, we will be able to get this accomplished, not just for the fire service of America but for the people of our Nation and safer communities.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank all of my colleagues for speaking. It is pretty evident that this is something we want to do. Working with the other body, hopefully we can get there.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of the Weldon-Pascrell-Andrews amendment which would increase the FY02 budget for the Fire Assistance Grant Program from \$100 million to \$150 million.

Mr. Chairman, there is such a great need for this program in this country that while it has been funded at \$100 million for FY01, there has been \$2.9 billion in requests from across the country for this vital program.

Mr. Chairman, new and advancing technologies are constantly requiring expensive purchase and upgrading of equipment to enable our firefighting units to provide the very best in services to our communities. My own district of the U.S. Virgin Islands, is one such community in need. They have put in a request for this assistance and support to ensure that they have the right equipment, vehicles and other tools necessary to meet the important need of keeping our community safe in times of fire disaster.

Mr. Chairman, our firefighters, across the country, put their lives on the line day after day—for us! Let us appreciate their service, and improve their safety as well, by passing the Weldon-Pascrell-Andrews amendment today.

Mr. WELDON of Pennsylvania. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Clerk will read.
The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$93,898,000, of which \$22,343,000 shall be provided from the various funds of the Federal Housing Administration and \$10,000,000 shall be provided from the amount earmarked for Operation Safe Home in the appropriation for the "Public housing operating fund": *Provided*, That the Inspector General shall have independent authority over all personnel issues within the Office of Inspector General.

CONSOLIDATED FEE FUND

(RESCISSION)

Of the balances remaining available from fees and charges under section 7(j) of the Department of Housing and Urban Development Act, \$6,700,000 is rescinded.

OFFICE OF FEDERAL HOUSING ENTERPRISE
OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, including not to exceed \$500 for official reception and representation expenses, \$23,000,000, to remain available until expended, to be derived from the Federal Housing Enterprise Oversight Fund: *Provided*, That not to exceed such amount shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than \$0.

ADMINISTRATIVE PROVISIONS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stuart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to re-finance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2002 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for

fiscal year 2002 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2002 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2002 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2002, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

SEC. 204. Section 225(a) of the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, Public Law 106-74 (113 Stat. 1076), is amended by inserting "and fiscal year 2002" after "fiscal year 2001".

SEC. 205. Section 251 of the National Housing Act (12 U.S.C. 1715z-16) is amended—

(1) in subsection (b), by striking "issue regulations" and all that follows and inserting the following: "require that the mortgagee make available to the mortgagor, at the time of loan application, a written explanation of the features of an adjustable rate mortgage consistent with the disclosure requirements applicable to variable rate mortgages secured by a principal dwelling under the Truth in Lending Act."; and

(2) by adding the following new subsection at the end:

"(d)(1) The Secretary may insure under this subsection a mortgage that meets the requirements of subsection (a), except that the effective rate of interest—

"(A) shall be fixed for a period of not less than the first 3 years of the mortgage term;

"(B) shall be adjusted by the mortgagee initially upon the expiration of such period and annually thereafter; and

"(C) in the case of the initial interest rate adjustment, is subject to the one percent limitation only if the interest rate remained fixed for five or fewer years.

"(2) The disclosure required under subsection (b) shall be required for a mortgage insured under this subsection."

SEC. 206. (a) Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)) is amended—

(1) in paragraph (1), by striking "and (k)" and "or (k)"; and

(2) in paragraph (2)—

(A) by inserting immediately after "subsection (v)," the following: "and each mortgage that is insured under subsection (k) or section 234(c)."; and

(B) by striking "and executed on or after October 1, 1994,".

(b) The amendments made by subsection (a) shall—

(1) apply only to mortgages that are executed on or after the date of enactment of this Act; and

(2) be implemented in advance of any necessary conforming changes to regulations.

SEC. 207. (a) During fiscal year 2002, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a pro-

gram to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan specified in subsection (b) of this section, notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

(b) The counties specified in this subsection are Oakland County, Macomb County, Wayne County, and Washtenaw County, in the State of Michigan.

AMENDMENTS EN BLOC OFFERED BY MS.

JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Ms. JACKSON-LEE of Texas, consisting of amendment No. 31, amendment No. 33, amendment No. 34, and amendment No. 35:

AMENDMENT No. 31:

At the end of title II, insert the following new section:

SEC. 2. For an additional amount for providing public housing agencies with tenant-based housing assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to provide amounts for incremental assistance under such section 8, and the amount otherwise provided by this title for "PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING CAPITAL FUND" is hereby reduced by, \$100,000,000.

AMENDMENT No. 33:

In title III, at the end of the matter relating to "NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—SCIENCE, AERONAUTICS AND TECHNOLOGY" insert the following: "Additionally, for the Space Grant program, to promote science, mathematics, and technology education for young people, undergraduate students, women, underrepresented minorities, and persons with disabilities in the State of Texas, for careers in aerospace science and technology, \$8,900,000."

AMENDMENT No. 34:

In title III, at the end of the matter relating to "NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—SCIENCE, AERONAUTICS AND TECHNOLOGY" insert the following: "Additionally, for the Minority University Research and Education Program to emphasize partnership awards that leverage the National Aeronautics and Space Administration's investment by encouraging collaboration among the National Aeronautics and Space Administration, Historically Black Colleges and Universities, Other Minority Universities, and other university researchers and educators, \$58,000,000."

AMENDMENT No. 35:

In title III, at the end of the matter relating to "NATIONAL SCIENCE FOUNDATION—EDUCATION AND HUMAN RESOURCES" insert the following: "Additionally, for training young

scientists and engineers, creating new knowledge, and developing cutting-edge tools that together will fuel economic prosperity and increase social well-being in the years ahead, \$662,000,000."

Mr. WALSH. Mr. Chairman, I reserve a point of order on the gentlewoman's amendments.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of July 27, 2001, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from New York (Mr. WALSH) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I thank the chairman and the ranking member for giving me the opportunity to engage in debate on these important issues on the floor of the House.

First let me say that I want to add my support for the Weldon amendment that was debated just previously and would hope to be one of those supporting the concept of public safety and the appreciation of our Federal fire service and all of our firefighters.

The issues I want to discuss this evening I believe warrant consideration; and I would hope, with good will, I would be able to have the point of order waived. But let me describe the reason for offering first of all amendment No. 31, which has to do with more funding for section 8. Realizing that there were funds that were not utilized under the section 8 program, my concern is that in various jurisdictions there are still long waiting lists for the section 8 certificates. It seems to me that with that in mind, we need to either revise the program or work with the Secretary of Housing and Urban Development to make sure that this program actually utilizes all the dollars and gets to all the regional areas where there is a definitive need.

In my community, the waiting list has been extensive. I believe it is extremely important to assure that there is affordable housing to disperse to the hardworking poor in areas throughout the community for them to have a better quality of life.

My other amendments, 33, 34 and 35, deal with an important issue. I am on the Committee on Science and am well aware of the opportunity for dealing with these issues in the Committee on Science. I would say that we have done a very good job of that, but I have found that there is a great importance and great need for engaging our Historically Black Colleges and our Hispanic Serving Institutions in the important work that NASA does. The NASA space grant program is a program authorized by Congress in 1987 designed to increase the understanding, assessment, development and use of

aeronautics and space resources. My interest is ensuring that this program has the dollars to be able to collaborate with those colleges.

Mr. Chairman, I would like to offer an amendment to this section of the bill H.R. 2620, VA-HUD-Independent Agencies appropriations for FY 2002.

I am requesting an increase in NASA Space Grant Program. The NASA Space Grant program is a program, authorized by Congress in 1987, designed to increase the understanding, assessment, development, and use of aeronautics and space resources. All 50 states, Puerto Rico, and the District of Columbia have Space Grant Consortium programs in which more than 700 affiliates participate. These consortia form a network of colleges and universities, industry, state/local governments, and nonprofit organizations with interests in aerospace research, training, and education. This amendment is for an increase of \$8.9 million to the existing FY 2002 budget request. This increase would bring the existing budget from \$19.1 million to \$28 million.

I ask that my colleagues support me in this amendment.

In addition, I am particularly interested in the minority university research and education program that emphasizes the partnership awards with the National Aeronautics and Space Administration's investment in collaboration with Historically Black Colleges and other minority universities. Even today we find that there is a dearth of trained minorities in the sciences. We have always talked about the importance of math and science in our elementary and secondary schools. It is equally important to establish criteria and curricula in our colleges to be able to network, if you will, with the kind of disciplines and employment needs that we have in the particular industry. These research grants that I would have asked for more money for would have provided that increased opportunity.

Mr. Chairman, I would like to offer an amendment to this section of the bill H.R. 2620, VA-HUD-Independent Agencies appropriations for FY 2002.

I am requesting an increase in the NASA Minority University Research and Education Program (MUREP). MUREP is a program that focuses primarily on expanding and advancing NASA's scientific and technological base through collaborative efforts with Historically Black Colleges and Universities (HBCUs) and Other Minority Universities (OMUs), including Hispanic Serving Institutions (HSI) and Tribal Colleges and Universities (TCU).

NASA's outreach to Minority Institutions (MI) in FY 2002 will build upon the prior years' investments in MI research and academia infrastructure by expanding NASA's research base; contributing to the science, engineering and technology pipeline; and promoting educational excellence in all MUREP. These contributions include the education of a more diverse resource pool of scientific and technical personnel who will be well prepared to confront the technological challenges to benefit NASA and the Nation.

The strategic goals of this program are to (1) Foster research and development activities at MI's which contribute substantially to NASA's mission; (2) to create systemic and sustainable change at MI's through partnerships and programs that enhance research and education outcomes in NASA-related fields; (3) to prepare faculty and students at MI's to successfully participate in the conventional, competitive research and education process; and (4) To increase the number of students served by MI's to enter college and successfully pursue and complete degrees in NASA-related fields.

This amendment is for an increase of \$58 million to the existing FY 2002 budget request. This increase would bring the budget up from \$82.1 million to \$140.1 million.

I ask my colleagues support me in this amendment.

Finally, Mr. Chairman, might I say in amendment 35, that amendment has to do with the National Science Foundation education and human resources which goes, again, to the point of training young scientists and engineers, creating new knowledge and developing cutting-edge technology that would fuel the economic prosperity.

Mr. Chairman, I would like to offer an amendment to this section of the bill H.R. 2620, VA-HUD-Independent Agencies appropriations for FY 2002.

I am requesting an increase in the National Science Foundation (NSF). NSF supports the nation's future and trains young scientists and engineers, creates new knowledge, and develop cutting-edge tools that together will fuel economic prosperity and increase social well-being in the years ahead. NSF will provide leadership in the President's Math and Science Partnership, and sustained investments in NSF's core programming will contribute to progress across science and engineering. The productivity of the U.S. scientific and engineering community—the fruits of which can be seen in the information technology, communications, and biotechnology industries—depends critically on NSF support of fundamental research.

This amendment proposes a 15 percent increase in NSF's budget over FY 2001, rather than the administration's proposed 1 percent. This amendment is for an increase of \$662 million. This increase would bring the FY 2002 budget up to \$5.1 billion.

I ask that my colleagues support me in this amendment.

The more people we have in this Nation from all walks of life understanding science, understanding technology, being able to create the new leverage for energy technology, space technology, health technology, I believe this Nation is better off. My amendments have that intent, and certainly I would hope that the chairman would see the interest that I have in science and particularly the interest that I have in, if nothing else, revising or looking at the section 8 program so that those individuals, as I move to housing, those individuals that want to get into section 8, that is a voucher to allow you to live in rental property,

dispersed around the community, not necessarily in one area, enhancing your quality of life would do so.

I thank the chairman for allowing me to present this argument on the floor of the House, and I thank the ranking member as well.

Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I continue to reserve my point of order.

The CHAIRMAN. The gentleman continues to reserve a point of order.

The gentleman from New York (Mr. WALSH) is recognized for 5 minutes.

Mr. WALSH. Mr. Chairman, the gentlewoman has time reserved. I think we best allow her to close before I insist on my point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Let me simply say that what I would like to say, Mr. Chairman, is to have the opportunity to withdraw these amendments. I would like to be able to have the gentleman from New York speak and yield to me to ask a question.

Mr. WALSH. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from New York.

Mr. WALSH. I thank the gentlewoman for yielding. Is the gentlewoman prepared to withdraw the amendments?

Ms. JACKSON-LEE of Texas. I am interested in withdrawing the amendments, yes. What my general question is, as the gentleman knows, one of my amendments deals with section 8 housing which I know this committee has worked very hard on. The other amendments have to do with technology and Historically Black Colleges and minority colleges and the importance of those institutions having access to technical training. My simple question would be is that this subcommittee on appropriations, VA, HUD and other agencies, has in its mind and in its focus that these issues will remain important issues as we move toward finalizing this bill and that these issues are important in the committee and will not be forgotten, if you will.

Mr. WALSH. I thank the gentlewoman for continuing to yield. I think in this bill, we have really made an effort to make sure that Historically Black Colleges, Hispanic Serving Institutions and other minority programs are part of the focus of the National Science Foundation. I think there has been some criticism, and it is somewhat due, that the larger, better established research institutions around the country, the colleges, have benefited substantially. Certainly the country has benefited from that research, also.

But there has been a tradition on this subcommittee, beginning with Chairman Lou Stokes, to make sure that some of these resources are provided,

that we encourage those institutions that I mentioned to expand their research capacity. I know the gentleman from West Virginia (Mr. MOLLOHAN) has been a strong and consistent voice for these, also. We will always do that, and we would always welcome the gentlewoman's input as to whether or not we are meeting the goals that we have set.

The CHAIRMAN. The gentlewoman's time has expired. The remaining time is controlled by the gentleman from New York.

Mr. WALSH. Mr. Chairman, I move to strike the last word, and I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman very much for yielding. I believe we can all work together for these important issues. Training of our young people; providing funding for these colleges is very important; housing is very important. With that as I had asked, I hoped that we would waive the point of order, but I think it is more important for us to find common ground.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise in support of my colleague's amendment to appropriate an additional \$662 million for the National Science Foundation's education and human resources account, to be used for training young scientists and engineers.

There is a pressing need for this level of funding, particularly as it relates to minority scientists and engineers. Recent reports have cited the "brain drain" as our current pool of scientists and engineers prepare to retire. Furthermore, it is clear that America's youth are not being prepared to pursue the rigorous disciplines associated with the hard sciences. American students perform comparably to other children in foreign countries in math and science until they reach the fourth grade level. However, there is a serious drop-off in their achievement and competitiveness in later years.

For minority students the case is even worse. Funding the NSF with increased resources will prepare communities and our nation to respond to the intellectual and real world challenges that await the engineers and scientists of the future. I urge my House colleagues to vote yes on this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to withdraw these four amendments.

The CHAIRMAN. Without objection, the amendments are withdrawn.

There was no objection.

AMENDMENT NO. 36 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 36 offered by Ms. JACKSON-LEE of Texas:

Page 54, after line 6, insert the following new section:

SEC. 208. The amounts otherwise provided by this title are revised by increasing the aggregate amount made available for "PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND", increasing the amount specified under such item for incremental vouchers under section 8 of the United States Housing Act of 1937, reducing the amount specified under such item for rescission from unobligated balances remaining from funds previously appropriated to the Department of Housing and Urban Development, increasing the amount made available for "COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND", and increasing the amount specified under such item for the community development block grant program, by \$100,000,000, \$100,000,000, \$324,000,000, \$224,000,000, and \$224,000,000, respectively.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentlewoman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of July 27, 2001, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from New York (Mr. WALSH) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume. Let me explain the purpose of this amendment, which is to add dollars, \$100 million, to increase the community block grant programs. This goes to a continuing issue that we are confronted with in Houston, Texas, based upon the devastation of Tropical Storm Allison.

First of all, let me rise in support of the \$1.3 billion that the committee has put in for additional funds for FEMA. Let me thank the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) for protecting those dollars. We are in desperate need around the country. There are 31 disaster sites around the country. We do not know how many more may come about, because we are in hurricane season. I thank them particularly for the recovery that Houston is going through.

What we are beginning to face is a shortage of housing because many people are facing the determination or the assessment of the condition of their homes as to whether or not they can be built or rebuilt or not. We are in what we call the "buyout program" that FEMA has which requires a complicated process of percentages of whether or not your house has been damaged or not damaged and whether or not you can have the opportunity to rebuild your house. In many instances, there is a need for down payment dollars or dollars to initiate the program. The programs are being designed at this point by Harris County government, and the city of Houston is assessing their status as to whether or not they will be participating in the buyout program. I simply wanted to have enough dollars for flexibility in

this community development block grant program that if the city were to engage in participating in these programs, it would have the dollars to do so, any cities, to do so.

My amendment provides for funding so that the many disaster areas that may have lost housing and have to participate in a buyout program would have the resources through the flexibility of the community development and buyout program.

Mr. Chairman, I rise to offer an amendment that provides \$50 million in funding for the Housing and Urban Development's Community Block Grant program from the HUD Section 8 Housing Certificate Fund.

As many of you know, last month Tropical Storm Allison ravaged our nation from Texas to the Northeast. This storm has been particularly hard on the residents of Harris County and the city of Houston. Although words cannot even begin to describe adequately the destruction of Houston and its surrounding areas, I will attempt to describe for you some of the havoc that the storm has wreaked.

The more than three feet of rain that fell on the Houston area beginning June 6 has caused at least 23 deaths in the Houston area and as many as fifty deaths in six states. Over 10,000 people have been left at least temporarily homeless during the flooding, many with no immediate hope of returning to their homes. More than 56,000 residents in 30 counties have registered for federal disaster assistance. The damage estimates in Harris County, Texas alone are \$4.88 billion and may yet increase.

Some of the most hard hit areas include the University of Houston, Texas Southern University, and the Kashmere Gardens neighborhood, a Houston enclave that is predominantly low income and possesses the fewest resources needed to bounce back from this once in a lifetime event.

The devastation of single family, mobile homes and multi family homes is almost unbelievable. It is estimated that in the city of Houston, 1,067 were destroyed, 5,098 need major repairs and 24,182 need minor repairs, for a total of 30,347 homes affected. In Harris County, it is estimated that 2,429 homes were destroyed, 4,545 need major repairs and 6,826 need minor repairs, for a total of 13,800.

Of the multi-family housing units in the city, 56 units were utterly destroyed, 150 need major repair and 672 need minor repairs. All totaled, over 3,500 homes were destroyed and nearly 10,000 need major repairs.

FEMA is bringing in trailers as temporary housing for some of those who are now homeless. A new staging site for travel trailers has been secured, and FEMA has received 441 travel trailers. There are currently 138 travel trailers occupied. I met with FEMA several weeks ago to request this relief for the multitudes of Houstonians that have been left temporarily homeless. These temporary housing trailers, which will be an integral part of FEMA's temporary housing program, are being located at either the severely damaged homes of flood victims or at commercial mobile home parks in and around Houston. The city of Houston will ease permit provisions for these trailers.

The city and county are working diligently with FEMA and SBA to provide grants and loans for home buyout and repair. However, these funds fall short of what the county and city need to help its residents.

For example, through its buyout program, called the Hazard Mitigation Grant Program, FEMA provides only government entities 75 percent of the buyout expense. Harris County and Houston must pay the rest, as the state of Texas has declined to lend financial assistance toward this effort. Further, the total eligible buyout funds are only 15 percent of FEMA's estimated total disaster costs.

Moreover, after closing costs and moving expenses, the local governments' buyout share may end up closer to half of all expenses for buyouts. Estimates are that the repair and buyout of homes may cost \$200 million or more. The local governments and low and moderate-income residents will scarcely have the resources to meet their expenses.

FEMA does also provide a limited source of funds to individuals and families to be used not only for essential home repair, but also to purchase destroyed clothing and other needed personal property, as well as to meet necessary medical, dental, transportation, and even funeral expenses. However, the average grant is only five to six thousand dollars, hardly enough in many cases to achieve the recovery that is needed. Therefore, I seek additional HUD Community Development Block Grant funds to be used to help supplement our local governments meet their obligations to their residents in need.

CDBG provides eligible metropolitan cities and urban counties with annual direct grants that they can use to revitalize neighborhoods, expand affordable housing and economic opportunities, and/or improve community facilities and services, principally to benefit low- and moderate-income persons.

Since 1974 CDBG has been the backbone of improvement efforts in many communities, providing a flexible source of annual grant funds for local governments nationwide-funds that they, with the participation of local citizens, can devote to the activities that best serve their own particular development priorities, provided that these projects either (1) benefit low- and moderate-income persons; (2) prevent or eliminate slums or blight; or (3) meet other urgent community development needs. The CDBG Entitlement Communities Program provides this Federal assistance to almost 1000 of the largest localities in the country.

As one of the Nation's largest Federal grant programs, the impact of CDBG-funded projects can be seen in the housing stock, the business environment, the streets and the public facilities of these entitlement communities. The rehabilitation of affordable housing has traditionally been the largest single use of CDBG funds.

Recipients of CDBG entitlement funds include local governments with 50,000 or more residents, other local government designated as central cities of metropolitan areas, and urban counties with populations of at least 200,000 (excluding the population of entitled cities). Local governments may carry out all activities themselves or award some or all of the funds to private or public nonprofit organizations as well as for-profit entities.

Low and moderate-income persons, generally defined as members of a family earning no more than 80 percent of the area median income, benefit most directly and most often from CDBG-funded activities. Grantees must use at least 70 percent of CDBG funds for activities that principally benefit low- and moderate-income persons. This includes activities where either the majority of direct beneficiaries such as housing rehabilitation low- or moderate-income persons.

Grantees may use CDBG funds for activities that include acquiring real property (primarily land, buildings, and other permanent improvements to the property) for public purposes. This type of activity might include, for example, buying abandoned houses for rehabilitation or an old industrial site in a distressed neighborhood for redevelopment. CDBG also helps communities demolish property and clear sites to prepare the land for other uses.

These funds can also be used for reconstructing or rehabilitating housing and other property from homeless shelters to single-family homes and from playgrounds to shopping centers, CDBG enables communities to improve properties that have become less usable, whether due to age, neglect, natural disaster, or changing needs.

The committee has recommended a rescission of \$886 million for the Section 8 Housing Certificate Fund, stating that it is one of several programs that has built up a substantial balance of unspent funds. It is attempting to take these funds out of HUD until the programs spend the funds it has on hand. Well, I say, let HUD keep these funds and put them to a desperately needed use. This amendment will merely put those funds to a direly needed use.

Hence, I will be requesting in conference that this CDBG money be earmarked for the desperate needs of the homes devastated by Tropical Storm Allison, particularly in Houston and Harris County.

The people of Houston have made extraordinary efforts and acts of heroism during this disaster, as we recognized when we passed H. Res. 166 by a vote of 411-0. Houston contributes significantly to our national economy, as energy capital of the nation and a renowned center for medical care, and scientific and academic research. FEMA and SBA's efforts have been praiseworthy, contributing significant financial assistance and other much needed support. But to return to our potential, Houston needs to know that Congress continues to support its recovery. Although I look forward to this Chamber supporting Representative DELAY's request for \$1.3 billion in emergency contingency funding for FEMA, even if we approve these funds, their release would still be up to the administration.

The flood has devastated us emotionally, physically and financially. To return to our potential, we still need help. Houston needs to know that Congress continues to recognize. Now, it is our turn to continue to make sure that we do our share to help them.

Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume. Just briefly, the subcommittee has done its level best to provide additional section 8 housing vouchers. In

fact, we have 34,000 new section 8 vouchers in the bill. As we have discussed earlier, this is a very tight allocation. There are really very few other places to go within the bill to move money from one account to another.

Since this increase certainly is well intended but there is no offset provided, I would obviously continue to reserve my point of order.

Mr. Chairman, I reserve the balance of my time.

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Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

In conclusion, this is such an important issue for us, I totally agree and believe that the committee has been as fair as it can possibly be. I would argue that there is such an emergency and such a need for assistance in this housing program and giving flexibility in additional dollars, I would argue and ask that the point of order be waived and the amendment be allowed to go forward.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed suballocation of Budget Totals for fiscal year 2002 on July 26, 2001, House Report 107-165. This amendment would provide new budget authority in excess of the subcommittee allocation made under section 302(b) and is not permitted under section 302(f) of the Act.

I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentleman from Texas (Ms. JACKSON-LEE) desire to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Yes, Mr. Chairman.

Mr. Chairman, my simple point on this amendment is that I think it is important that the idea of being able to assist flood victims is only at this time. I appreciate the fact that we have received additional dollars in FEMA. The housing represents an enormous crisis. Simply, Mr. Chairman, I would ask that the point of order be considered waived in light of the emergency nature of the request.

The CHAIRMAN. The Chair is prepared to rule.

The Chair is authoritatively guided under section 312 of the Budget Act by an estimate of the Committee on the Budget that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentlewoman from Texas would increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is sustained, the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

TITLE III—INDEPENDENT AGENCIES AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$30,466,000, to remain available until expended.

For the partial cost of construction of a new interpretive and visitor center at the American Cemetery in Normandy, France, \$5,000,000, to remain available until expended: *Provided*, That the Commission shall ensure that the placement, scope and character of this new center protect the solemnity of the site and the sensitivity of interested parties including families of servicemen interred at the cemetery, the host country and Allied forces who participated in the invasion and ensuing battle: *Provided further*, That not more than \$1,000,000 shall be for non-construction related costs including initial consultations with interested parties and the conceptual study and design of the new center.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, and for services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$8,000,000, \$5,500,000 of which to remain available until September 30, 2002 and \$2,500,000 of which to remain available until September 30, 2003: *Provided*, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions: *Provided further*, That, hereafter, there shall be an Inspector General at the Board who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978, as amended: *Provided further*, That an individual appointed to the position of Inspector General of the Federal Emergency Management Agency (FEMA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That the Inspector General of the Board shall utilize personnel of the Office of Inspector General of FEMA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

DEPARTMENT OF THE TREASURY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES-3, \$80,000,000, to remain available until September 30, 2003, of which \$500,000 shall be for technical assistance and training programs designed to benefit Native American communities, and up to \$8,948,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to \$6,000,000 may be used for the cost of direct loans, and up to \$1,000,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$15,000,000.

CONSUMER PRODUCT SAFETY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$500 for official reception and representation expenses, \$54,200,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

Of the funds appropriated under this heading in Public Law 106-377, the Corporation for National and Community Service shall use such amounts of such funds as may be necessary to carry out the orderly termination of the programs, activities, and initiatives under the National Community Service Act of 1990 (Public Law 103-82) and the Corporation: *Provided*, that such sums shall be utilized to resolve all responsibilities and obligations in connection with said Corporation.

AMENDMENT NO. 30 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 30 offered by Ms. JACKSON-LEE of Texas:

In title III, under the heading "NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES"—

(1) strike "orderly termination of the"; and

(2) strike the proviso at the end.

The CHAIRMAN. Pursuant to the order of the House of July 27, 2001, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE of Texas).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it seems this evening that I am speaking a lot about the impact of Tropical Storm Allison in the Houston area and throughout Texas, but also as it has impacted Louisiana, the Southeastern Coast and many other States. We see now in the State of West Virginia that there has been extensive flooding over the last couple of days.

The reason why I rise is to present this amendment to ensure that there will be no language in this legislation that would suggest that the Corporation of National Service would be dismantled.

First of all, I believe that all of us are aware of the Corporation of National Service, the AmeriCorps volunteers. They are in our communities every single day. As I went about Houston during the initial days of the flood, and we were opening Red Cross centers and what we call DRCs, the recovery centers organized by FEMA, the complimentary volunteers that were there were the AmeriCorps young people and National Service Corporation individuals who were there every single day helping the flood victims.

As I noted to you, we have got about \$4.88 billion in damage, and growing. Over 20,000 homes that have been damaged. But I have seen AmeriCorps working in many other capacities, in classrooms, daycare centers, cleaning up parks, working side-by-side with the respected citizens of the respective areas they are in.

This amendment is a very simple one and asks that we not consider this agency to be one dismantled and to be able to provide the support for the agency that I would hope all of us would desire to do.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) seek time in opposition to the amendment?

Mr. WALSH. Mr. Chairman, I am not in opposition to the amendment. I do seek to control the time.

The CHAIRMAN. Without objection, the gentleman from New York (Mr. WALSH) will control 5 minutes.

There was no objection.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this AmeriCorps, similar to how the program has been handled in the last several years, the House has come into this bill without funding for AmeriCorps. It has been resolved in conference each time with funding being provided. I suspect, Mr. Chairman, that that is the way that this issue will be resolved again this year.

The President has spoken in support of AmeriCorps. There are many advocates for the program within the House and in the Senate. The language that the gentlewoman deals with in the bill would strike language that deals with the elimination or the phasing-out of the AmeriCorps program. I do not think that that is necessary within the bill because of recent history, the fact that AmeriCorps is ultimately funded in conference.

So, assuming that that will happen, there is no need for that language. I think it is a positive amendment, it has no deleterious effect on the bill, and, for that reason, Mr. Chairman, we are prepared to accept the gentlewoman's amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, the Corporation for National Service changes lives. It gets people of all ages to volunteer, and, as they volunteer, to improve the lives of others. While they are doing that, they improve their own lives. At the same time, the corporation volunteer program fills unmet local community needs.

In my district, the sixth district of California, AmeriCorps volunteers are reading tutors in Larkspur; students from Sonoma State University volunteer for a Vista program in Rohnert Park; AmeriCorps sponsors a multicultural alliance and teacher fellowship program in Ross, California; and seniors in Sonoma County donate their time and wisdom through the local Retired and Senior Volunteer Program, RSVP.

We have been lucky to get assistance also from California Statewide AmeriCorps programs. Last summer, AmeriCorps volunteers from Los Angeles came to my district and spent a week clearing the property around the historic Carrillo Adobe. They have done so much. They contribute so much.

Forty other volunteers assisted at the Redwood Empire Food Bank. But the Corporation for National Service and AmeriCorps aren't important only for the good they do in our communities, or for the experiences of the individual volunteers. At a time when too many Americans are defined by their differences, the Corporation for National Service, and AmeriCorps, give thousands of volunteers, and the communities where they serve, an opportunity to meet across the barriers of education, race, and income, to work together for a common good. The corporation for National Service is one of this Nation's best investments in a future of good citizens, and we should be supporting it, not trying to eliminate it.

Mr. Chairman, I was glad to hear the chairman agree with the sponsor of this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentlewoman for her comments and her leadership in working with the program.

Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia (Mr. MOLLOHAN), the distinguished ranking member.

Mr. MOLLOHAN. Mr. Chairman, I simply want to rise and compliment the gentlewoman from Texas (Ms. JACKSON-LEE) for this amendment. It brings to the attention of the body the fact that in this bill this account, the Corporation for National and Community Service, was not funded. It also gives us an opportunity to express our support for it. The chairman, I know, is very supportive of this program and has in the past taken the lead in making sure it was restored in conference.

The simple fact is, and I want to assure the gentlewoman for the chairman, that there was an outlay problem in this bill. The Senate has more outlays than we do, \$300 million. We have fewer outlays than the Senate, so this program was not funded, because it was known that it would be supported in conference.

I would like to say that the chairman, as I stated earlier, has taken the lead in restoring this in the past; and I have all the confidence in the world that he will in the future. He is extremely supportive of community service.

The corporation funds some wonderful programs; AmeriCorps, Points of Light, it funds at \$10 million; Youth Life foundation, it funds at \$1.5 million; America's Promise, it funds at \$7.5 million; Communities in Schools, \$5 million; and Boys and Girls Clubs at \$2.5 million.

These are very worthwhile programs targeted to our youth principally, and they certainly merit our support and the funding. However, more funding certainly could be used in these areas. This program is an excellent program for focusing in on our youth and funding worthwhile programs that are working to ensure that we support organizations that get them off on the right foot.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I will close by simply saying this is like the domestic Peace Corps. I thank the chairman and ranking member. I think all Americans support this volunteer effort, helping our young people to be part of the volunteer spirit, similar to the Peace Corps. I believe these are very vital programs. I hope my colleagues will support us, and I thank the chairman for accepting the amendment.

Mr. Chairman, I would like to offer an amendment to this section of the bill H.R. 2620, VA-HUD-Independent Agencies Appropriations for FY 2002.

It has been the habit of this House to appropriate little or no funds for the Community of National Service and this appropriations legislation before the House today has the same deficit. This situation is disingenuous because those of us who remember the history of the appropriations process understand that funding for the Community of National Service will be funded by several hundred million dollars.

I am appreciative for the work done by this office of the Executive Branch and know that many communities throughout the United States have benefited from its existence. I am particularly grateful for the assistance provided by AmeriCorps Volunteers, who were directed to the Houston area by the Corporation of National and Community Service. The Corporation's three major service initiatives are AmeriCorps, Learn and Serve America and the National Senior Service Corps.

Over 200 AmeriCorps members from four regional campuses responded to a call-up from the American Red Cross to assist victims of Tropical Storm Allison in Texas and Louisiana. The members are serving as first-line Family Assistance Representatives, helping families to receive immediate aid and to identify each family's long term needs. The corps members are also operating emergency assistance shelters, working in soup kitchens, and delivering meals to people affected by the flooding. Additionally, Spanish speaking members are helping translate emergency assistance forms for people who don't speak English. The members are working in ten emergency assistance shelters in the Houston, TX vicinity and three shelters around Baton Rouge, LA.

Overall, the storm caused upwards of \$4.88 billion in damage to Houston and surrounding Harris County. Over 20,000 homes were damaged by the flooding as the storm dumped over 36 inches of rain in some areas with some houses reporting over seven feet of water in them.

It is unfortunate that the Appropriations Committee zeroed out the account for the Community Development Fund, when the Administration requested \$411 million in funding for FY 2002. My amendment would restore the program and allow them to continue their work on the behalf of communities throughout the United States.

AmeriCorps, the domestic Peace Corps engages more than 40,000 Americans in intensive, results-driven service each year. We're teaching children to read, making neighborhoods safer, building affordable homes, and responding to natural disasters through more than 1000 projects. Most AmeriCorps members are selected by and serve with projects like Habitat for Humanity, the American Red Cross, and Boys and Girls Clubs, and many more local and national Organizations. Others serve in AmeriCorps*VISTA (Volunteers in Service to America) and AmeriCorps*NCCC (the National Civilian Community Corps). After their term of service, AmeriCorps members receive education awards to help finance college or pay back student loans.

AmeriCorps is a win-win program that I hope the Rule for this legislation will allow it to continue in its work to help make America a better place to live. Homelessness in America continues to be a problem that seems to lack

a broad commitment to see and end to this blight on the American Dream. Attempting to attribute homelessness to any one cause is difficult and misleading. More often than not, it is a combination of factors that culminates in homelessness. Sometimes these factors are not observable or identifiable even to those who experience them first hand (Wright, Rubin and Devine, 1998). For example, lack of affordable housing is a factor repeatedly cited as contributing to homelessness (Hertzberg, 1992; Johnson, 1994; Metraux and Culhane, 1999; National Coalition for the Homeless, 1999–F). However, lack of affordable housing is often representative of a collectivity of other problems. Other key factors include the inability to earn a living wage, poverty, welfare reform, unemployment and/or domestic violence that can combine to form a situation in which even the most basic housing is not affordable.

The support that AmeriCorps volunteers provided to Houston area residences must be supported by funds from the federal government in allowing families to have homes to live in after the damaged causes by Tropical Storm Allison. I have an amendment that increases funds for HUD's Community Development Block Grant Program to be used as matching funds for home repair and buyout for Harris County and the City of Houston citizens who have been displaced by Tropical Storm Allison.

In time of great difficulty the Corporation of National Service has been there to assist citizens of our nation to put their lives back into order. It is time that this House stop using the Corporation of National Service as a budget gimmick to hide the fact that the VA–HUD appropriations legislation that will pass is in fact in violation of the budget agreement reached by the House earlier this year.

This is the reason why we must revisit many fiscal issues as they relate to our nation's surplus and its obligations. I ask that my colleagues support me in removing language from this bill, which gives the false impression that this office will be discontinued.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I mentioned, we are prepared to accept the gentlewoman's amendment. We believe it is constructive.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE). The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$5,000,000, which shall be available for obligation through September 30, 2003.

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by 38 U.S.C. 7251–7298, \$13,221,000, of which \$895,000 shall be available for the purpose of providing financial assistance as described, and in accord-

ance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$22,537,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, \$70,228,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

SALARIES AND EXPENSES

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, \$78,235,000, to be derived from the Hazardous Substance Superfund Trust Fund pursuant to section 517(a) of SARA (26 U.S.C. 9507): *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2002, and existing profiles may be updated as necessary.

ENVIRONMENTAL PROTECTION AGENCY SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair,

rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$680,410,000, which shall remain available until September 30, 2003.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; and not to exceed \$6,000 for official reception and representation expenses, \$2,014,799,000, which shall remain available until September 30, 2003.

AMENDMENT NO. 7 OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mrs. CAPPS:

In title III, in the item relating to "ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT", after the last dollar amount, insert the following: "(reduced by \$7,200,000)".

In title III, in the item relating to "ENVIRONMENTAL PROTECTION AGENCY—LEAKING UNDERGROUND STORAGE TANK TRUST FUND", after the last dollar amount, insert the following: "(increased by \$7,200,000)".

The CHAIRMAN. Pursuant to the order of the House of July 27, 2001, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would increase by \$7.2 million Federal efforts to clean up leaking underground storage tanks. The amendment pays for this increase by cutting the same amount from the EPA's Environmental Programs and Management Account. It is my intention that this funding would come from the Regional Management Programs, which has been increased by nearly \$20 million under the bill.

I am offering this amendment with the hope that we can increase our attention to the problem that MTBE contamination is causing to drinking water across this country. While I cannot, under the rules of the House, specify that this funding be used for MTBE cleanup, it is my hope the House will send a clear message that we want to do something about this huge problem.

MTBE is a fuel additive designed to reduce the production of smog by in-

creasing the burning efficiency of gasoline. Unfortunately, due to its unique properties, MTBE has become one of the leading water contamination problems in the United States. MTBE makes water smell and taste like turpentine, even at very low levels, and has resulted in the closing of important drinking water supplies all across the country.

For example, in my district, the coastal town of Cambria, California, is facing a real calamity. MTBE contamination has shut down two municipal drinking water wells the Community Services District has used as back-up sources during dry seasons and droughts.

□ 1945

The district has spent more than \$1 million to research the problem. Cambria is also considering the addition of a desalinization plant to ensure an adequate supply of drinking water, and that will cost millions more.

In fact, there are 38 MTBE contaminated sites in San Luis Obispo County and another 86 in Santa Barbara County, both in my district. However, Mr. Chairman, MTBE contaminated drinking water is a huge problem not just in my district, but across the country. Santa Monica, California has lost about 80 percent of its drinking supply and spends a quarter of a million dollars per year buying replacement supplies.

The South Tahoe Public Utility District has shut down 13 of its 34 drinking water wells due to MTBE contamination. Twenty-one of Wisconsin's 71 counties have detected MTBE in groundwater in potable wells. In Iowa, it has been detected in 23 percent of urban alluvial wells. In Maryland, over 149 domestic public water systems are contaminated by MTBE, and the list goes on and on.

Owners and operators of underground tanks are responsible for cleanup, and that is where the responsibility should lie. But the Leaking Underground Storage Tank Trust fund provides additional cleanup resources, especially when no responsible party can be found or when the responsible party is no longer viable.

It may also be used to enforce corrective actions and recover costs spent from the fund for cleanup activities. Funded by one-tenth of a cent tax per gallon of gasoline, this LUST fund is a backstop to ensure prompt and appropriate cleanup of leaking tanks. This tax is bringing in close to \$190 million this year. Mr. Chairman, at the end of fiscal year 2002, the administration expects the balance in the LUST fund to be nearly \$2 billion. The interest on this balance is bringing the trust fund another \$87 million, yet the bill before us appropriates only \$72 million to support communities in their efforts to clean up leaking tanks. That is \$96,000

less than we appropriated last year, and that is about \$15 million less than the interest we expect to earn on the trust fund balance this year.

Mr. Chairman, I think we can do better than that. The American people pay taxes on gasoline and other fuels, in part to ensure that these underground tanks are not polluting their drinking water, so we should use those funds for this purpose.

Mr. Chairman, last week the Energy and Commerce Committee unanimously adopted my amendment to authorize up to \$200 million out of the LUST fund for MTBE inspections and cleanup. We took this action because MTBE contamination is presenting a real problem to thousands of communities across this country. My amendment today is only a small step toward addressing those cleanup needs when we should be taking a giant leap. So I would urge my colleagues to support this common sense amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I rise to claim the time in opposition, although I am not in opposition to this amendment.

Mr. Chairman, I rise actually in support of the gentlewoman's amendment and am prepared to accept it for our bill.

This is a good idea. It is a little tough on the Environmental Protection Agency because it will have to find these funds out of existing appropriated funds but, at the same time, it shows that the Congress considers this issue a very high priority. I know members of the subcommittee, including the gentleman from New Jersey (Mr. FRELINGHUYSEN), has spoken long and strong in favor of doing a better, more aggressive job on leaking underground storage tanks, and especially with this issue of MTBE, which pollutes our drinking water. This amendment would also provide funds to orphaned sites where the owner cannot be located or otherwise cannot be identified.

Mr. Chairman, this is a serious problem. Communities all over the country worry about this issue and suffer from this issue, and we need to do a vigilant job in protecting our groundwater supplies which, once they are polluted, can be next to impossible to abate the problem.

So I support the gentlewoman's amendment and am prepared to accept it.

Mr. Chairman, I reserve the balance of my time.

Mrs. CAPPS. Mr. Chairman, I would just say how much I appreciate the support of the gentleman from New York (Mr. WALSH).

Mr. Chairman, I yield back the balance of my time.

Mr. WALSH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mrs. CAPPS).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. PALLONE

Mr. PALLONE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. PALLONE: In the item relating to "ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT", after the aggregate dollar amount, insert the following: "(reduced by \$3,000,000)".

In the item relating to "ENVIRONMENTAL PROTECTION AGENCY—STATE AND TRIBAL ASSISTANCE GRANTS", after the 1st and 7th dollar amounts, insert the following: "(increased by \$3,000,000)".

The CHAIRMAN. Pursuant to the order of the House of July 27, 2001, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say, first of all, that this is a bipartisan amendment. It is sponsored by myself and the gentlemen from New Jersey (Mr. SAXTON) and (Mr. SMITH), my two colleagues on the Republican side.

Last year, Mr. Chairman, Congress unanimously passed the Beaches Environmental Assessment and Coastal Health Act; it is also known as the Beaches Act. The Beaches Act established consistent water quality standards for beach water and provides grants to help States develop and implement water quality testing and notification programs to warn the public about unsafe conditions at our Nation's beaches.

The reason we needed the Beaches Act and why it is so important is because beach waters are often contaminated by pathogens, which are disease-causing bacteria and viruses found in human and animal wastes from polluted runoffs, storm drains, sewer overflows and malfunctioning septic systems. These pathogens can cause ear, nose and throat infections, dysentery, hepatitis. The risks of infections are higher for children, the elderly, and those with weak immune systems.

Just as an example, Mr. Chairman, during 1999, there were more than 6,000 beach closings and advisories posted at U.S. beaches. Since 1988, more than 36,000 beach closures and health advisories have been issued across the Nation, but only 11 States regularly monitor most or all of their beaches and notify the public. One of the reasons why this amendment is sponsored by three Members from New Jersey is because we had New Jersey as an example of the type of monitoring, and we used this as an example in trying to get this bill passed last year.

Mr. Chairman, I just want to urge my colleagues to support this amendment. It increases EPA's budget by \$3 million for grants to States for beach water quality testing and notification. Last year, Congress unanimously passed the Beaches Act, and the Beaches Act authorizes \$30 million in EPA grants. However, even though it authorizes \$30 million, I think the President recommended only \$2 million. The committee was generous in increasing it to \$7 million. But we really think that a lot more money is needed and, if we are able to increase this by \$3 million to \$10 million, it would really make a big difference.

Mr. Chairman, if I could just say a few more things. In some ways, I see it almost as an unfunded mandate, that now we are asking States to do all of these things, but we are not providing them with enough money, and that is why I think this amendment is very important. I should also mention that there are 23 national and regional organizations, environmental groups representing millions of Americans who support this.

Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I rise to claim the time in opposition, although I am not in opposition.

Mr. Chairman, I congratulate the gentleman from New Jersey and his colleagues from New Jersey who have led this fight to provide additional funds. This is a brand new program. It was authorized just last year, called the Beach Act. It is very popular legislation, it is important legislation, and it is clear that the subcommittee considered it a priority. It was authorized at a \$2 million level. We added \$5 million to raise funding to \$7 million, and this amendment would add another \$3 million, bringing a brand new program a fivefold increase in its first year. That is a pretty good test of the popularity and the importance of the program.

The funds, however, will have to come out of the Environmental Protection Agency's State Travel Assistance Grants. Those are very competitive funds. There is strong support and demand on those funds by Members for projects within their districts. So this will put somewhat of a hardship not only on EPA, but also on some of the Members' projects. But this is, we think, an acceptable amendment and we are prepared to support it.

Mr. Chairman, I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume to just thank the chairman of the subcommittee for his support and the statement that he made. I understand the limitations under which the subcommittee is living and the problem with the offset, but I do appreciate the fact that he, first of all, was willing to

increase the amount from what the President recommended and now also go along with this amendment.

So with that, I thank the chairman and the ranking member, and I yield back the balance of my time.

Mr. WALSH. Mr. Chairman, just a note of clarification; I misspoke. The funding comes out of the Environmental Programs and Management Fund, which is EPA's fund and goes into the State Travel Assistance Grant. The gentleman understood clearly that I was in sport of his amendment. I am in support of it. We accept it.

Mr. SMITH of New Jersey. Mr. Chairman, I would like to express my strong support for the Pallone-Saxton-Smith Amendment, which seeks an additional \$3 million to the EPA budget for enhancing beach water monitoring programs. These programs are authorized under the BEACH Act (Beaches Environmental Assessment and Coastal Health Act of 2000), signed last year as Public Law 106-284.

Beach water monitoring programs are critical to the health of the millions of people who swim in our oceans. Since 1988, more than 36,000 beaches have been closed due to contaminated water. During 1999 alone, more than 6,000 beaches were closed because beach waters were found contaminated with pathogens, or disease-causing bacteria and viruses.

Pathogens are found in human and animal waste from polluted runoff, storm drains, sewer overflows and malfunctioning septic systems. When swimmers are unknowingly exposed to these pathogens, they can become sick from a whole host of diseases—gastroenteritis, dysentery, and hepatitis among others. Children, who frequent our beaches, are among the highest at risk because their immune systems are not as fully developed.

If we do not take action to keep our shores safe and clean, the dream of a family vacation can become a nightmare of disease and illness. Many of these pathogens are invisible and undetectable to the naked eye. Without testing, there is no way of knowing if beach waters are too contaminated for swimming, surfing, and other recreational activities.

Yet, until last year, no national standards were in place to monitor beaches for pathogen contamination to ensure the water is safe. As a result, Congress unanimously passed the BEACH Act (P.L. 106-284) to establish consistent water quality standards for our beaches. The bill also provides grants to help states develop and implement water quality testing and notification programs about unsafe conditions at our beaches.

The fact of the matter is that our beaches are national assets that deserve national protection. Just like our national parks, our beaches are not enjoyed solely by those who live near them. In fact, just the opposite is true: our beaches are visited by tens of millions of people from all over the country. Foreign tourists come from all parts of the globe to visit our coasts and beaches, including the Jersey Shore.

Our nation's beaches contribute heavily to our national economy—four times as many

people visit our nation's beaches each year than visit all of our National Parks combined. And yet Congress provides copious funding for national parks—as it should. It is estimated that 75% of Americans will spend some portion of their vacation at the beach this year. Beaches are the most popular destination for foreign visitors to our country as well. The amount of money spent by beach-going tourists creates an extensive economic benefit—a portion of which goes back to the Federal government in the form of income and payroll taxes.

Clean and safe beaches are not just good public health policy, clean beaches are also good for the economy. In my State of New Jersey, in 1999, tourism brought \$27.7 billion to the state—out of the 167 million trips made to New Jersey in 1999, 101 million were to the Shore area.

Mr. Chairman, I urge all members of Congress to support the Pallone-Saxton-Smith Amendment which adds an additional \$3 million to the EPA budget for beach water monitoring programs, for a total of \$10 million to states and localities to monitor pathogen contamination. Because, a trip to the beach should not result in a trip to the hospital.

Mr. WALSH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$34,019,000, to remain available until September 30, 2003.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$25,318,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; \$1,270,000,000 (of which \$100,000,000 shall not become available until September 1, 2002) to remain available until expended, consisting of \$635,000,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508, and \$635,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading,

\$11,867,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2003, and \$36,891,000 shall be transferred to the "Science and technology" appropriation to remain available until September 30, 2003.

AMENDMENT NO. 24 OFFERED BY MR. BARCIA

Mr. BARCIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. BARCIA:

Page 62, line 21, after the first dollar amount insert the following: "(reduced by \$140,000,000)".

Page 64, line 5, after the dollar amount insert the following: "(increased by \$140,000,000)".

The CHAIRMAN. Pursuant to the order of the House of Friday, July 27, 2001, the gentleman from Michigan (Mr. BARCIA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. BARCIA).

Mr. BARCIA. Mr. Chairman, I yield myself such time as I may consume.

The amendment that the gentleman from Ohio (Mr. LATOURETTE) and I are offering today is a simple one. It would provide funding for an authorized grant program that has the potential to benefit communities in every district across this country. These communities are currently struggling with the pervasive and devastating problem of sewer overflows from both combined and sanitary sewer systems. Sewer overflow control programs are often the largest public works projects that communities will face.

The amendment itself is a mere down payment on the funding that this body authorized in the Wet Weather Water Quality Act for fiscal year 2002, just last December. However, I am hopeful that in conference, more money will be found to fully fund the act at the level of \$750 million or, alternatively, at least at the President's budget request of \$450 million.

This amendment, which has bipartisan support, is about protecting the health of our citizens from untreated sewage, helping communities provide safe and clean drinking water to tens of millions of Americans, and protecting the environment. The families, residents and businesses who are subjected to sewer overflows nationwide deserve nothing less.

Fundamentally, this amendment is about our collective commitment to ensuring the availability of safe, clean, potable water to communities throughout the country.

Mr. Chairman, I want to thank all of the Members who share that commitment, like the gentleman from Ohio (Mr. LATOURETTE), my colleague and good friend who has worked tirelessly on this issue. I appreciate his continued leadership. I would also like to especially thank the gentleman from

New York (Mr. BOEHLERT) and the gentleman from Minnesota (Mr. OBERSTAR) and all of the Members who have expressed support for fully funding the grant program. I also want to especially recognize and thank the gentleman from New York (Mr. WALSH), the chairman of the subcommittee, and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, in continuing to work with us to find opportunities like this to fund the CSO, SSO grant program.

Mr. Chairman, every community, from Seattle, Washington, to Wheeling, West Virginia, to Syracuse, New York, to Indianapolis, Indiana, stands to benefit from this program. I have heard from many communities, and this is just a small representation of the communities who have written to me expressing their strong desire to have this program fully funded.

President Bush also acknowledged the real problem facing communities in his budget stating, "To address Federal mandates to control the biggest remaining municipal waste water problem, funds should be used for the newly authorized sewer overflow control grants."

□ 2000

I spoke with a constituent just last week, Craig Tetreau from Marlette, Michigan. They have a \$3 million problem. Around here, \$3 million may not sound like a lot of money. However, 763 families live in the city of Marlette, and they have an annual budget of \$2 million for all city services. If they do not make the upgrades, the State has threatened to construct the necessary upgrade at a cost of \$11,000 per household.

Similarly the village of Fairgrove, with 233 families, has \$1.5 million in upgrading costs.

In Saginaw, Michigan, sewer rates jumped from \$10.40 a month in 1989 to over \$39 a month in 1999. Another 50 percent rate increase is anticipated. Recently, sewer rates were 2.64 percent of the median household income alone. This is an enormous burden for which Saginaw, like so many other communities across the country, needs help in the form of Federal grant funding assistance that would be provided by this amendment.

I urge every Member to support this critically important amendment.

The CHAIRMAN. The Chair will clarify that the gentleman from Michigan (Mr. BARCIA) was recognized for 10 minutes for this debate, and a Member in opposition will have 10 minutes for this debate.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have the greatest respect for the gentleman from Michigan (Mr. BARCIA). We have worked very, very closely with him on a number of issues within this bill. I know he is deeply concerned about water quality in the Great Lakes and about the quality of drinking water in his own community. These are things that he has worked very hard on and cares deeply about.

But what he is asking us to do is to choose which way, almost equivalent to asking us which way would we like to die, would we rather be hung or burned to death. This is a tough choice.

The Superfund program is terribly important, and it is very, very strongly supported by Members. We all know the combined sewer overflow problem this Nation has is in the hundreds of billions of dollars. We cannot take from one and give to the other either way. We have funds set aside for Superfund. There is not enough money, but we have done the best we could.

There is money set aside for combined sewer overflows through the Clean Water grants and special grants, close to \$1.5 billion. It is not enough. There is more need out there. We all understand that. But we cannot take from Superfund \$150 million, or \$140 million. If we did, it would dramatically reduce the pace of Superfund clean-ups across the country. Every aspect of the Superfund program, but particularly the cleanup or Response program, would be impacted, and none of the agency's Superfund goals would be met, so the program would suffer dramatically. Funding to State programs would be reduced; communities would wait longer for their sites to be addressed.

I know there are a number of Members who feel very strongly about Superfund issues. Superfund sites do a lot of damage to the land, air and water. We have to make these projects a priority. We would lose 50 to 100 ongoing cleanup projects which would be slowed or stopped. The EPA would be unable to start toxic waste clean-ups at dozens of Superfund sites. Construction and completion would fall by one-third. Up to 150 potential sites identified by States would not be evaluated for their potential risks to human health and the environment.

So, Mr. Chairman, I strongly oppose the gentleman's amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, the Superfund program is funded at \$1.2 billion, which is barely enough. It is at the President's request, and barely enough to cover the responsibilities which Superfund is charged to cover. We are talking about toxic waste cleanup; we are talking

about carcinogenic substances that are real hazards to people.

I know the gentleman from Michigan had a terrible time in finding offsets in this bill. If we try to do it, it is extremely difficult. Even though he has gone to this account, I know he strongly supports the Superfund program.

Having said that, the gentleman raises a very important issue here. The funding need for water infrastructure is one of the most pressing issues addressed in this bill. A needs survey conducted by the American Society of Civil Engineers estimates our wastewater needs to be approximately \$12 billion annually to replace aging facilities and comply with existing and future Federal water regulations. The funding in this bill does not even begin to touch that need.

Controlling sewer overflows continues to be a priority mandate imposed on communities by the EPA regulatory and enforcement programs, and it will continue to be a financing issue that communities around the country will have to confront.

It is terribly difficult for communities to even begin to contemplate being able to marshal the resources to solve this problem. So I understand the issue that the gentleman is bringing before the Congress today. It is an important issue. I compliment him bringing it to our attention.

The gentleman from Michigan (Mr. BARCIA) has been at the forefront of fighting for funding for water projects and for wastewater overflow projects, and he is to be commended for that.

However, I am reluctantly going to oppose his amendment because of the offset that he proposes, and hope that in the future we will find additional funds to address the very excruciating need that he brings to our attention.

Mr. WALSH. Mr. Chairman, I reserve the balance of my time.

Mr. BARCIA. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to voice my strong support for his amendment seeking to provide relief for local communities that today are shouldering up to 90 percent of the burden of revamping their wastewater treatment facilities.

The American Waterworks Association unveiled its new study that predicts required spending of more than \$250 billion over the next 30 years to take care of this problem. In the last Congress, the gentleman from Michigan (Mr. BARCIA) led the charge in the Congress with the Wet Weather Quality Act, together with the gentleman from New Jersey (Mr. PASCRELL). The language is included in the Labor-HHS bill over in the Senate that provided a landmark 2-year grant program to be administered by the EPA.

We are not alone. We had a little hearing in front of the Subcommittee on Water Resources and Environment earlier this year, and Administrator Whitman was in front of us. We said they have to provide money for the State revolving loan fund and this grant money as well, because communities cannot take it across the country.

The President put in \$450 million in his budget for this program. While I commend the gentleman from New York (Mr. WALSH), who certainly understands the program and the problems as well as anybody in this Congress, the fact is that while the subcommittee has funded the State revolving loan fund and is willing to give loans to communities, there is no grant program in place that would take care of this problem across the Nation.

I want to just bring up one example, not in my district, but it is in Worcester, Massachusetts. To build a single-family home, one has to pay a \$16,000 tap-in fee. Who in this Congress, Mr. Chairman, could pay \$16,000 to flush the toilet to build a single-family new house? But that is the problem facing not only the folks in Worcester, Massachusetts; but it is the problem facing all of America today if we do not do something.

I would say to the distinguished chairman of the subcommittee, if we go back to the Contract with America in the very first bill the gentleman from Ohio (Mr. PORTMAN) introduced, the unfunded mandate legislation, this Congress, this Federal Government, has mandated all of these initiatives upon the wastewater treatment plants of the small municipalities in this country, but has not sent the money.

It is time to send the money. It is time to pass the Barcia amendment. It is too bad that the rules indicate we have to make an offset on the basis of the Superfund allocation, but this money needs to be sent to the small communities of America.

I praise the gentleman from Michigan (Mr. BARCIA) and the gentleman from New Jersey (Mr. PASCRELL), and I urge an aye vote.

Mr. BARCIA. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I would like to begin where the gentleman from Ohio (Mr. LATOURETTE) left off. The Clean Water Act provides very specific mandates for municipalities.

I was a mayor, mayor of the third largest city in the State of New Jersey. There is no way that the Patersons of this country, smaller, larger, can respond to this multibillion dollar need within our communities. Our clean water is threatened, is threatened if we do not begin to address, and we have, this problem.

I am positive that the chairman and the ranking member are sensitive to

these needs. But being sensitive to the needs, we need to take it to the next level. We need to be in every mayor's office, in every council chambers throughout America when these issues are coming up.

Crumbling systems exist throughout America. We need to respond. The cost is great. If we do not do it, the cost will be even greater.

One segment of the President's proposed budget I was particularly pleased with, which was where the President expressed his support for the newly authorized sewer overflow control grants, H.R. 828, which passed the Congress, authorized \$750 million in fiscal years 2002 and 2003. We are trying to give cities and towns across America the resources they need to clean up their sewer systems and comply with the Clean Water Act.

I am hopeful that we can work with the committee to ensure that full funding is included in the final bill to address this issue, which is important in every district and in every State in this Nation. We must follow through on our commitment to local governments to assist in their wet-weather infrastructure challenges, and I support this critical down payment.

I recognize the hard work of the gentleman from Michigan (Mr. BARCIA) and the gentleman from Ohio (Mr. LATOURETTE).

Mr. WALSH. Mr. Chairman, I reserve the balance of my time.

Mr. BARCIA. Mr. Chairman, I yield the balance of my time to my good friend and colleague, the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise to speak in support of this amendment. Grant funding to help communities control sewer overflows was approved and authorized in the last Congress; but in this Congress, in this House, in this budget, no funds have been set aside at all. Congress must follow through and fund this important program.

Back home in my district, I can point to the city of Everett, Snohomish, Anacordis, three cities with some of the highest sewer rates in my district. Everett alone has invested in excess of \$12 million since 1990 towards reducing and controlling CSOs; and despite the substantial financial commitment, nearly \$20 million more is required for the city to reach full compliance with all local, State, and Federal mandates.

Federal funding will be crucial to the city's efforts to reach full compliance, so it is my hope that this Congress can step up to help our communities by providing this funding.

I urge my colleagues to vote in favor of their communities, to vote in favor of this amendment. I commend the gentleman from Michigan (Mr. BARCIA) for his work on this amendment.

Mr. BARCIA. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will be very brief in closing. I have discussed this with my ranking member, the gentleman from West Virginia (Mr. MOLLOHAN). We both appreciate not only the sentiment but the leadership that has been provided on this issue. It is a real big issue for the country.

But to force us to choose between Superfund and CSOs is just too tough a choice to make. We would urge the gentleman, with all due respect, to withdraw the amendment; and he should continue to work with the authorizing committee and with the Committee on Appropriations to see if we can do a better job of meeting this commitment. It is a question of allocation and choices, and we just cannot justify the choice he is asking us to make. I would ask again that he would withdraw the amendment.

Mr. GOODLATTE. I rise today in support of the Barcia/Latourette amendment to HR 2620. This amendment would increase the bills funding for EPA Water Improvement Grants—with the intention that these funds would be used for grants for combined sewer overflows.

Mr. Chairman, the condition of our Nation's wastewater collection and treatment facilities is alarming. In its 1999 clear water needs survey, the EPA estimated that nearly \$200 billion will be needed over the next 20 years to address wastewater infrastructure problems in our communities.

In Lynchburg, Virginia, the cost of improving 174 miles of combined sewers that serve 11.4 square miles exceeds \$275 million in 2000 dollars. This equates to \$16,875 per ratepayer in a city whose average income is \$27,500. These CSO improvements are by far the largest capital projects the city has ever undertaken.

Given this great need, I believe the Federal Government has a responsibility to assist communities that are trying to fix their problems and comply with Federal water quality mandates.

I strongly urge my colleagues to adopt this amendment which will increase funding for the Clean Water Revolving Loan Program and help cities in need of meeting Federal mandates.

Mr. WALSH. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. BARCIA).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. LATOURETTE. Mr. Chairman, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gen-

tleman from Michigan (Mr. BARCIA) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$72,000,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$15,000,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$3,433,899,000, to remain available until expended, of which \$1,200,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"); \$850,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; \$75,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; \$30,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; \$200,000,000 shall be for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the report accompanying this Act; and \$1,078,899,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multimedia or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities of which and subject to terms and conditions specified by the Administrator, \$25,000,000 shall be for making grants for enforcement and related activities (in addition to other grants funded under this heading), and \$25,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs: *Provided*, That for fiscal year 2002 and hereafter,

State authority under section 302(a) of Public Law 104-182 shall remain in effect: *Provided further*, That notwithstanding section 603(d)(7) of the Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2002 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2002, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to section 319(h) and 518(e) of that Act: *Provided further*, That for fiscal year 2002, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under Title VI of the Act may be reserved by the Administrator for grants under section 518(c) of such Act: *Provided further*, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

POINT OF ORDER

Mr. GILLMOR. Mr. Chairman, I make a point of order that the language beginning with "except that" on page 64, line 12, through "drinking water contaminants" on line 17 violates clause 2 of rule XXI of the rules of the House prohibiting legislating on an appropriations bill.

The language I have cited says that notwithstanding the provisions of the Safe Drinking Water Act, none of the money in the fiscal year 2002 VA-HUD appropriations bill or even previous appropriation acts may be reserved by the EPA administrator for health effect studies on drinking water contaminants.

The language clearly constitutes legislating on an appropriations bill, and as such, violates clause 2 of rule XXI.

I therefore insist on my point of order.

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The CHAIRMAN. Does anyone wish to speak on the point of order?

If not, the Chair is prepared to rule. The Chair finds that this provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the provision is stricken from the bill.

The Clerk will read:

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS

For fiscal year 2002, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

AMENDMENT NO. 37 OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is there objection to the consideration of the amendment offered by the gentlewoman from California at this point?

There was no objection.

The CHAIRMAN. The Clerk will designate the original amendment.

The text of the amendment is as follows:

Amendment No. 37 Offered by Ms. PELOSI:
Page 92, strike lines 3 through 9.

MODIFICATION TO AMENDMENT OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Ms. PELOSI: Page 67, line 22, strike "\$17,000,000" and insert "\$20,000,000".

The CHAIRMAN. Is there objection to the modification offered by the gentlewoman from California?

There was no objection.

The text of the amendment, as modified, is as follows:

Page 67, line 22, strike "\$17,000,000" and insert "\$20,000,000".

The CHAIRMAN. Pursuant to the order of the House of Friday, July 27, 2001, the gentlewoman from California Ms. PELOSI, and a Member opposed each will be recognized for 15 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment would ensure that the Environmental Protection Agency's program for registering pesticides and reassessing pesticide tolerances are funded at the same level in fiscal year 2002 as in the current year. These programs are important to ensure that pesticides used in our crops, on our pets, and in our homes and businesses are thoroughly reviewed, and tolerances are set at safe levels.

At this point, Mr. Chairman, before proceeding with further discussion of the amendment, I would like to thank

my colleague, the gentleman from Arkansas (Mr. BERRY), for his extraordinary leadership in taking what might have been a controversial amendment and having us come to some peace on this issue among all the various equities that must weigh in this.

I certainly wish to thank the chairman of the subcommittee, the gentleman from New York (Mr. WALSH) for his leadership and cooperation, and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), as well as the gentleman from California (Mr. WAXMAN), the original author of the Food Quality Protection Act for their leadership. Certainly, the gentleman from California (Mr. FARR) for his representing the balances between the environment and ag concerns, which are now in harmony, and the gentleman from Texas (Mr. STENHOLM) for his participation and leadership.

And before I go on, I would like to say that the gentleman from Arkansas (Mr. BERRY) took the time to do this while playing a very active leadership role as a named sponsor of the legislation that is very important to all of us, the Patients' Bill of Rights. So I particularly wanted to acknowledge his leadership.

Mr. Chairman, it is especially important that we protect the health of infants and children by ensuring that pesticide exposure levels safeguard their health. The Food Quality Protection Act was designed with special protections for children in mind. We support this funding to ensure that EPA has adequate resources to review chemicals and ensure that they meet new safety standards set by the FQPA, the Food Quality Protection Act.

This amendment would ensure that the EPA has an additional \$3 million to ensure that pesticides are adequately assessed for safety. I have worked with Members on both sides of the aisle on this amendment and believe that any controversy has been resolved, as I mentioned earlier. It is my understanding that this amendment is acceptable to the distinguished chairman, the gentleman from New York.

Mr. WALSH. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentlewoman for yielding to me. The gentlewoman's amendment will maintain current funding levels for EPA's pesticide reregistration and tolerance assessment programs and is acceptable to the committee.

Collection of \$20 million in maintenance fees will ensure that reregistrations and tolerance reassessments are completed in a timely manner with appropriate scientific analysis, ensuring that our farmers have the tools they need, and that human health is protected.